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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/816,894	04/05/2004	Ichio Yudasaka	119363	4030

25944 7590 09/27/2006

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EXAMINER

TOLEDO, FERNANDO L

ART UNIT PAPER NUMBER

2823

DATE MAILED: 09/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/816,894	Applicant(s) YUDASAKA, ICHIO	
	Examiner Fernando L. Toledo	Art Unit 2823	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 July 0706.
 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
 4a) Of the above claim(s) 8 and 12-14 is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-7 and 9-11 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☒ The drawing(s) filed on 05 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>20040405, 20040818, 20060707</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 8 and 12 – 14 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 7 July 2006.
2. Applicant's election without traverse of Group 1 in the reply filed on 7 July 2006 is acknowledged.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 7 and 9 – 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Yudasaka (US Patent Application Publication US 2004/0087068 A1)

The applied reference has a common inventor with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention “by another,” or by an appropriate showing under 37 CFR 1.131.

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5. In re claim 1, Yudasaka, in the US Patent Application Publication US 2004/0087068 A1; figures 1 – 16 and related text discloses a first supply system 42 provided that supplies the liquid material to the coating chamber 40; and a second liquid supply system 52 provided that supplies a liquid to the first supply system that cleans or that deactivates the liquid material remaining at least either in the coating chamber or in the first liquid supply system (§0077).

6. In re claim 2, Yudasaka discloses further comprising a control mechanism provided with the coating chamber that controls an atmosphere in the coating chamber independently (§0082).

7. In re claim 3, Yudasaka discloses wherein several of the second liquid supply systems are provided and at least one of the second liquid supply systems is either in the coating chamber or first liquid system, and at least one other of the second liquid supply systems is a system that supply deactivation agent for deactivating the liquid material remaining at least either in the coating chamber or first liquid supply system (§0077).

8. In re claim 4, Yudasaka discloses wherein the coating chamber has a spin coater provided therein (§0075).

9. In re claim 5, Yudasaka discloses wherein the first liquid supply system comprises a container that accumulates the liquid material, a drip rate control section that controls the quality of the liquid material that is drawn out from the container, and a nozzle section that discharges the liquid material, and wherein the container drip rate control section, and nozzle section are positioned in a vertical direction in this order from top to bottom, and a liquid material pipe that connects each of these sections does not have a portion that is horizontal relative to the vertical direction such that the liquid material pipe all runs in a vertical direction (Figure 3).

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10. In re claim 6, Yudasaka discloses wherein the coating chamber has a droplet discharge section provided therein that discharges micro droplets, and the droplet discharge section has a function of dripping micro droplets on a predetermined position on a substrate held on a stage by moving relatively to the stage holding the substrate (Figure 3).

11. In re claim 7, Yudasaka discloses wherein the coating chamber has a waste liquid collection mechanism 43 provided that collects as waste liquid that is no longer necessary after having been introduced into the coating chamber (Figure 3).

12. In re claim 9, Yudasaka discloses a heat processing apparatus that heats a substrate which a liquid material has been coated by the coating apparatus, wherein the coating apparatus and the heat processing apparatus are each provided with a control mechanism that controls the atmosphere in a processing chamber for processing the substrate independently for the coating apparatus and for the heat processing apparatus (Figure 1).

13. In re claim 10, Yudasaka discloses further comprising a preprocessing apparatus that performs preprocessing such as cleaning a surface of the substrate, wherein the preprocessing apparatus is also provided with a control mechanism that controls independently an atmosphere in a processing chamber where processing of the preprocessing apparatus is performed (Figure 1).

14. In re claim 11, Yudasaka discloses further comprising a connecting chamber that is connected to the processing chamber of each of the apparatuses, wherein the connecting chamber is also provided with a control mechanism that controls independently an atmosphere in the connecting chamber (Figure 1).

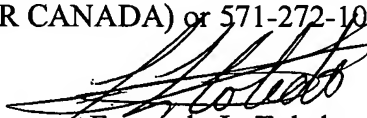
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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fernando L. Toledo whose telephone number is 571-272-1867. The examiner can normally be reached on Mon-Fri 12pm-7:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Fernando L. Toledo
Patent Examiner
Art Unit 2823

flt
21 September 2006